

**Enrolled Minutes of the Sixty First Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting (Rescheduled for June 9)
Monday, June 02, 2014**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, June 02, 2014 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dennis Adams, Konnie Kuiper and Dan Vassar were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Redevelopment Director briefed the Town Council regarding it event on June 6 2014.
3. The Town Council discussed the status of the 45th Avenue Fifth Street Intersection Improvement Project and any further communication that may have occurred with Mr. Breger, a resident whose property is impacted by the project.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, June 02, 2014 at 7:00 clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Dan Vassar, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Council President Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dennis Adams, Konnie Kuiper and Dan Vassar. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

Also present: Steve Mileusnich of the Advisory Board of Zoning Appeals; Ed Dabrowski IT Director (Contract); and Randy Bowman, Assistant Inspector for Electrical were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of 12 May 2014 were approved by general consent.

Special Orders:

1. **Public Hearing:** Considering the matter of the proposed establishment of a General Improvement District to be associated with a project to improve the 3300 Block of Condit Street to be known as the Condit Street Reconstruction Project financing the cost of these improvements through the Municipal General

Improvement Fund. (*Works Board Order No. 2014-11 was passed and adopted at the Town Council meeting of April 28, 2014, giving approval to the project and the General Improvement District, subject to this public hearing.*)

- (a) **Verification of Proofs of Publication.** (IC 5-3-1; 36-9-17) The TIMES: 21 May 2014. The Town Attorney indicated that the proofs were in compliance with I.C. 5-3-1.
- (b) **Public Hearing on Issue:** Whether the benefits that will accrue to the property liable to be assessed for the improvement will equal the maximum estimated cost of the improvement. The Town Council President called the hearing to order. There were no comments written or spoken. The hearing was closed.
- (c) **Consideration of Works Board Order No. 2014-12.**

Councilor Herak moved the passage and adoption of Works Board Order No. 2014-12. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted. The General Improvement District was confirmed.

TOWN OF HIGHLAND
Order of the Works Board No. 2014-12

AN ORDER CONFIRMING WORKS BOARD ORDER NO. 2014-11 ENTITLED "PRELIMINARY ORDER FOR THE 3300 CONDIT STREET RECONSTRUCTION PROJECT AND FINANCING THEREOF THROUGH MUNICIPAL GENERAL IMPROVEMENT FUND AND SPECIAL ASSESSMENTS FROM PROPERTY OWNERS BENEFITING FROM SUCH IMPROVEMENTS"

Whereas, On April 28, 2014, the Town Council of the Town of Highland, Indiana adopted Works Board Order No. 2014-11 entitled "*Preliminary Order for 3300 Block of Condit Street Reconstruction Project and Financing thereof through Municipal General Improvement Fund and Special Assessments from Property Owners Benefiting from such Improvements*", a copy of which is attached hereto and incorporated herein; and

Whereas, The Town Council has held a Public Hearing at 7:00 pm on Monday, **June 2, 2014**, after publication and mailing of notice as required by law, and has heard all interested persons regarding Works Board Order No. 2014-11; and

Whereas, The Town Council now desires to confirm Works Board Order No. 2014-11.

Now Therefore, be it resolved by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Town Council hereby determines that the benefits that will accrue to the property liable to be assessed for the improvements (as defined in Works Board Order No. 2014-11) will be in excess of the maximum estimated cost of the improvement.

Section 2. That the Town Council hereby confirms Works Board Order No. 2014-11.

Section 3. That the Town Council hereby orders that the improvements be completed and hereby determines to levy special assessments against the owner of property to be benefited by the improvements in a total amount not to exceed the estimate of maximum cost for the Improvements, which assessments are to be levied upon completion of the Improvements and determined in accordance with the provisions of I.C. 36-9-36.

Be it So Ordered.

Duly adopted and Ordered by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana, this 2nd day of June 2014 by a vote of 5 in favor and 0 opposed.

HIGHLAND, INDIANA

TOWN COUNCIL OF THE TOWN OF

Dan Vassar, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

EXHIBIT

TOWN OF HIGHLAND
Order of the Works Board No. 2014 - 11

**A PRELIMINARY ORDER FOR THE 3300 BLOCK OF CONDIT STREET RECONSTRUCTION PROJECT
AND FINANCING THEREOF THROUGH MUNICIPAL GENERAL IMPROVEMENT FUND AND
SPECIAL ASSESSMENTS FROM PROPERTY OWNERS BENEFITING FROM SUCH IMPROVEMENTS**

Whereas, Pursuant to IC 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town"); and

Whereas, Pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town; and

Whereas, Several residents of the **3300 block of Condit Street** have requested consideration of the Town of Highland to install concrete curbs and to replace substandard sidewalks; and

Whereas, The cost for curb and sidewalk replacement shall be paid for by the adjoining property owners based upon front footage of their property through a special assessment pursuant to the Special General Improvement District statute; and,

Whereas, The Town Council desires to proceed with the **Condit Street Reconstruction Project** and to finance the portion of the cost of such projects relating to reconstruction of curbs and sidewalks (each such portion of a project, an "Improvement") through the Municipal General Improvement Fund; and

Whereas, The Town has retained Garcia Consulting to prepare plans and specifications for the **3300 Block of Condit Street Reconstruction Project**; and

Whereas, The Town desires to finance the costs of the improvements pursuant to assessments to be collected from the property owners benefited by the respective proposed improvements as set forth in IC 36-9-36.

Now Therefore, be it ordered by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Town Council hereby makes a preliminary determination to proceed with the **3300 Block of Condit Street Reconstruction Project** and to finance the cost of the improvements through the Municipal General Improvement Fund and the collection of special assessments from property owners benefited by the respective improvements pursuant to IC 36-9-36.

Section 2. That the Town Council hereby adopts the plans and specifications for the projects and directs the Project Engineer to place on file cross-sections, general plans and specifications for each of the improvements.

Section 3. That the Town Council hereby adopts the estimate of the maximum cost of each of the improvements attached hereto as Exhibit A and directs the Clerk Treasurer to place such estimate of maximum costs on file in the office of the Town Council.

Section 4. That the Town Council hereby determines to hold a public hearing regarding each of the improvements and whether the benefits that will accrue to the property liable to be assessed for the respective improvements will equal the maximum estimated cost of each of the improvements, which public hearing will be held at the regular meeting place of the Town Council at **7:00 P.M. on May 12, 2014**, and the Town Council further directs the Clerk Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the respective improvements.

Be it so ordered.

Duly adopted by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board this 28th day of April, 2014 by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF
HIGHLAND, INDIANA

Dan Vassar, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

2. **Public Hearing.** *(This hearing contingent on passage and adoption of Works Board Order No. 2014-12)* Considering remonstrances against the amounts set forth in the Preliminary Determination of Assessments by the Town Council associated with a project to improve the 3300 block of Condit Street to be known as the **Condit Street Reconstruction Project** financing the cost of these improvements through the Municipal General Improvement Fund. (Works Board Order No. 2014-12)
 - (a) Verification of Proofs of Publication. (IC 5-3-1; IC 36-9-17) The TIMES: 21 May 2014. The Town Attorney indicated that the proofs were in compliance with I.C. 5-3-1.
 - (b) **Open Public Hearing.** *Public Hearing Issue:* Whether the lots or tracts of land have been or will be benefited by the Improvements in the amount set forth in the Assessment Roll, such greater or lesser amount, or any amount at all. The Town Council President called the hearing to order. The following comments were received:
 1. Dave Gearman, 3330 Condit Avenue, Highland, inquired about the timetable for the project and asked about the invoicing for the assessments.
 2. Bob Pemberton, 3344 Condit Avenue, Highland, expressed a desire expand the amount of the sidewalk that would be subject to replacement voluntarily. It was noted that the total count would be increased to 56 ft.

There were no further comments. The Town Council President closed the hearing.

- (c) Consideration of (Confirmatory) **Works Board Order No. 2014-15:** An Order Confirming the Special Municipal General Improvement Fund Special Assessment Rolls for Property Owners Benefiting from the Condit Street Reconstruction Project.

Councilor Zemen moved to pass and adopt the Works Board Order No. 2014-15, particularly filling the blanks to fix the repayment term for waived participants at five years and fixing the interest at 7.5%. Councilor Adams seconded.

Amendment. By general consent, the assessment roll was amended from that which was proposed for the property located at 3344 Condit Avenue, to expend the sidewalk replacement from its proposed number to 56 feet.

Upon a roll call vote, as amended, there were five affirmatives and no negatives. The motion passed. The Works Board Order was adopted and the assessment roll was approved as amended.

TOWN OF HIGHLAND
WORKS BOARD ORDER NO. 2014-15

AN ORDER OF THE WORKS BOARD CONFIRMING THE SPECIAL MUNICIPAL GENERAL IMPROVEMENT FUND SPECIAL ASSESSMENT ROLLS FOR PROPERTY OWNERS BENEFITING FROM THE 3300 BLOCK OF CONDIT STREET RECONSTRUCTION PROJECT.

WHEREAS, On May 12, 2014, the Town Council of the Town of Highland, Indiana, adopted Order of the Works Board No. 2014-13 entitled "*A Preliminary Order Adopting And Approving Municipal General Improvement Fund Special Assessment Rolls For Property Owners Benefiting From The 3300 Block Of Condit Street Reconstruction Project*", a copy is attached hereto as Exhibit "A"; and

WHEREAS, The Town Council has held a public hearing, after publication of notice as required by law, and has received and heard all remonstrance from owners of property described in the notice regarding Works Board Order No. 2014-13; and

WHEREAS, The Town Council now desires to confirm Works Board Order No. 2014-13.

NOW, THEREFORE, be it ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board as follows:

Section 1. That the Town Council hereby confirms Works Board Order No. 2014-13;

Section 2. That the Town Council hereby sustains the presumptive assessments a indicated on the Assessment Roll by confirming the presumptive assessment against each of the properties described in the Assessment Roll, which confirmation is based upon this Town Council's findings concerning the special benefits that each property has received or will receive on account of the Improvements as defined in Works Board No. 2014-11 and confirmed in Works Board Order No. 2014-12;

Section 3. The Town Council hereby directs that the Assessment Roll be delivered to the Clerk Treasurer, and that upon completion of the Improvements, the final Assessment Roll for the Improvements be delivered to the Clerk Treasurer for notification to each affected person and collection of the special assessments;

Section 4. The Town Council hereby determines that owners of properties described in the Assessment Roll may pay such assessments in annual installments over a period of 5 years, with interest accruing on such unpaid portions at an interest rate of 7.5% per annum, and also approves the substantially final form of Waiver Agreement attached hereto as Exhibit "B", to be entered into by the Town and each owner of property desiring to pay the assessments in annual installments.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 2nd day of June 2014 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Michael W. Griffin

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

Exhibit 1 of 2

**TOWN OF HIGHLAND
ORDER OF THE WORK BOARD NO. 2014-13**

**A PRELIMINARY ORDER ADOPTING AND APPROVING MUNICIPAL GENERAL IMPROVEMENT
FUND SPECIAL ASSESSMENT ROLLS FOR PROPERTY OWNERS BENEFITING FROM THE 3300
BLOCK OF CONDIT STREET RECONSTRUCTION PROJECT**

WHEREAS, Pursuant to Ind. Code 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town"); and

WHEREAS, Pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town; and

WHEREAS, Pursuant to Order of the Works No. 2014-11, the Town Council confirmed Order No. 2014-12 and determined that the benefits to accrue to the property liable to be assessed for reconstruction of curbs and sidewalks in the 3300 block of Condit Street (the "Improvements") will be in excess of the maximum estimated cost of the Improvements; and

WHEREAS, An assessment roll for the Improvements, including the name and owner of each parcel of property abutting on and adjacent to such Improvement, a description of each parcel of such property, and the total assessment against each parcel of property, copies of which are attached hereto as Exhibit A (each, an "Assessment Roll"), has been prepared and filed with this Town Council.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Town Council hereby adopts and approves the Assessment Roll for the Improvements to the 3300 block of Condit Street;

Section 2. That the Town Council hereby determines to hold a public hearing regarding the Assessment Roll for the Improvements and to receive and hear remonstrances against the amounts assessed on the Assessment Roll and determine whether the lots or tracts of land have been or will be benefited by the Improvements in (a) the amount set forth on the Assessment Roll, (b) such greater or lesser amount, or (c) any amount at all, which public hearing will be held at the regular meeting place of the Town Council at **7:00 p.m. on June 2, 2014**, and the Town Council further directs the Clerk-Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the Improvements.

Be it So Ordered.

Duly adopted and Ordered by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana, this 12th day of May 2014 by a vote of _____ in favor and _____ opposed.

TOWN COUNCIL OF THE TOWN OF

HIGHLAND, INDIANA

Dan Vassar, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

Exhibit 2 of 2

ASSESSMENT ROLL

Parcel No.	Owner	Parcel	Street	Mailing	Street	City	State	Zip	Legal Description	Lot Width	Curb	Curb \$	SW	SW \$	Total \$
45-07-22-308-001.000-026	Sharon G Warnecke	3304	Condit Street	3304	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 1 & 2 BL. 13	72.75	72.75	\$1,018.50	10.00	\$175.00	\$ 1,193.50
45-07-22-308-002.000-026	Gerard J & Elizabeth C Balon	3310	Condit Street	3310	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 3 & L. 4 BL. 13	66.00	66.00	\$924.00	66.00	\$1,155.00	\$ 2,079.00
45-07-22-308-003.000-026	Scott A Templeton & Celia Heredia	3316	Condit Street	3316	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 5 BL. 13 L. 6 BL. 13 W 1/2 L. 7 BL. 13	82.50	82.50	\$1,155.00	0.00	\$0.00	\$ 1,155.00
45-07-22-308-004.000-026	Priscilla D Johnson	3322	Condit Street	3322	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 8 BL. 13 E2. OF L. 7 BL. 13	49.50	49.50	\$693.00	0.00	\$0.00	\$ 693.00
45-07-22-308-005.000-026	Priscilla D Johnson	3322	Condit Street	3322	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 9 BL. 13	33.00	33.00	\$462.00	0.00	\$0.00	\$ 462.00
45-07-22-308-006.000-026	David S & Rene P Gearman	3330	Condit Street	3330	Condit Street	Highland	Indiana	46322	GOLFMOOR ALL LOTS 10 & 11 BL. 13 W 1/2 FT.						
45-07-22-308-007.000-026	Donald A & Elizabeth J Zuke	3336	Condit Street	3336	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 13 & L. 14 BL. 13 E. 1/2 FT. L. 12 BL. 13	82.50	82.50	\$1,155.00	82.50	\$1,443.75	\$ 2,598.75
45-07-22-308-008.000-026	Robert Pemberton	3344	Condit Street	3344	Condit Street	Highland	Indiana	46322	GOLFMOOR ADD. L. 13 BL. 13 ALL L. 16 BL. 13	66.00	66.00	\$924.00	56.00	\$880.00	\$ 1,904.00
45-07-22-308-009.000-026	Rosemary Fletcher Tr R/L	3348	Condit Street	3348	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 17 & L. 18 BL. 13	72.75	72.75	\$1,018.50	20.00	\$350.00	\$ 1,368.50
45-07-22-307-011.000-026	Mary Ann Stan	3311	Condit Street	3311	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 31 & L. 34 BL. 12	66.00	66.00	\$924.00	45.00	\$787.50	\$ 1,711.50
45-07-22-307-012.000-026	Delores D Sweeney	3317	Condit Street	3317	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 31 & L. 32 BL. 12	66.00	66.00	\$924.00	10.00	\$175.00	\$ 1,099.00
45-07-22-307-013.000-026	George H Stout	3321	Condit Street	3321	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 29 & L. 30 BL. 12	66.00	66.00	\$924.00	66.00	\$1,155.00	\$ 2,079.00
45-07-22-307-014.000-026	Randall J & Judith L Downey	3327	Condit Street	3327	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 26, 27, 28 BL. 12	99.00	99.00	\$1,386.00	0.00	\$0.00	\$ 1,386.00
45-07-22-307-015.000-026	John R & Debra J Speakman	3335	Condit Street	3335	Condit Street	Highland	Indiana	46322	GOLFMOOR LOTS 23, 24 & 25 BL. 12	99.00	99.00	\$1,386.00	20.00	\$350.00	\$ 1,736.00
45-07-22-307-016.000-026	Sylvia Ramirez	3343	Condit Street	3343	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 21 & L. 22 BL. 12	66.00	66.00	\$924.00	46.00	\$805.00	\$ 1,729.00
45-07-22-307-017.000-026	Ben J & Patricia H Puntillo	3349	Condit Street	3349	Condit Street	Highland	Indiana	46322	GOLFMOOR L. 19 & 20 BL. 12	72.75	72.75	\$1,018.50	0.00	\$0.00	\$ 1,018.50
										1142.25	1142.25	\$ 15,991.50	441.5	\$ 7,726.25	23,717.75

Communications:

- Controlled Event Permit Request.** Action regarding written request for permission to conduct a beer garden on a public property submitted by Growlers on Highway for its Seventh Anniversary Celebration, on one of three dates either Saturday, **August 23, 30th or Sunday August 31 2014**. The public property is the parking lot owned by the Town of Highland, Redevelopment department. *This is a controlled event under Chapter 5.25. Section 5.25.020 requires action by the Town Council in an open regular or special session. Request is filed on May 1, 2014, which is 114 days before the first date of three that are desired for the event. (The Code requires at least 60 days) The Council will also need to fix the amount of liability insurance, pursuant to 5.25.020 (D). Pursuant to that section, the Town Council has previously directed that the applicant procure liability insurance for the event which names the Town of Highland as an additional insured in the amount of Three million dollars (\$3,000,000) and provide a certificate or proof of this insurance before the event. The event will also require approval of the Highland Redevelopment Commission as the property is held by the Town of Highland, through its Redevelopment Department.*

Councilor Zemen moved to approve the request and grant a controlled event permit to Growlers to conduct its special event on one of the requested days of August 23 or August 30 2014 denying the requested optional day of Sunday August 31. He further moved that any permit required the holder to provide evidence of insurance listing the Town of Highland as an additional insured for the event in the amount of 3 million dollars. Councilor Herak seconded. Upon a roll call vote, there were three

affirmatives and two negatives. With Councilors Zemen, Herak and Adams voting in the affirmative and Councilors Kuiper and Vassar voting in the negative, the motion passed. The Permit was granted according to the terms described herein.

Staff Reports:

The Clerk-Treasurer read the following reports into the record.

- Building & Inspection Report for May 2014 will be submitted in a future meeting.
- **Building & Inspection Report for April 2014**

Permit	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	12	0	1 2	\$16,494.00	\$1,172.00
Signs:	4	0	4	\$16,494.00	\$1,172.00
Single Family:	1	1	0	\$248,000.00	\$2,960.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	70	70	0	\$436,920.00	\$7,969.50
Garages:	1	1	0	\$10,000.00	\$269.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	4	4	0	\$6,242.00	\$627.00
Fences	11	11	0	\$21,728.00	968.00
Swimming Pools	2	2	0	0	\$146.00
DrainTile/Waterproofing	1	1	0	\$17,900.00	\$260.00
Misc.	7	7	0	\$35,850.00	\$747.00
TOTAL:	113	97	16	\$1,846,567.00	\$28,590.00
Electrical Permits	26	20	6		\$2,897.00
Mechanical Permits	14	12	2		\$1,163.00
Plumbing Permits	12	6	6		\$1,860.75
Water Meters	2	1	1		\$460.00
Water Taps	1	1	0		\$200.00
Sewer/Storm Taps	2	2	0		\$600.00
TOTAL Plumbing:	17	10	7		\$3,210.75

April Code Enforcement:

Investigations: 117
Citations: 12

April Inspections:

Building: 31 Electrical: 36 Plumbing: 26 HVAC: 7
Electrical Exams: 2

- **Fire Department Report for May 2014 to be submitted at future meeting**

- **Workplace Safety Report for May 2014 to be submitted at future meeting**

Unfinished Business and General Orders:

1. **Works Board Order No. 2014-16:** An Order of the Works Board Accepting the Bid of *Rieth-Riley Construction Co., Incorporated* for the 3300 block of Condit Street Reconstruction Project Being the Lowest Responsive and Responsible Bid in the amount of Two Hundred Sixty-Four Thousand Nine Hundred Ninety-one Dollars and 80/100 Cents (\$264,991.80) *(This may be considered only if Works Board Order No. 2014-14 and Works Board Order No. 2014-15 are adopted.)*

Councilor Adams moved the passage and adoption of Works Board Order No. 2014-16. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board No. 2014-16**

An Order of the Works Board Accepting the Bid of Rieth-Riley Construction Co., Incorporated for the 3300 block of Condit Street Reconstruction Project Being the Lowest Responsive and Responsible Bid in the amount of Two Hundred Sixty-Four Thousand Nine Hundred Ninety-one Dollars and 80/100 Cents (\$264,991.80)

Whereas, The Town Council for the Town of Highland determined that a need exists to improve the 3300 blocks of Condit Street; and

Whereas, Garcia Consulting Engineers had prepared plans and specifications for the 3300 blocks of Condit Street and the project was bid in accordance with I.C. 36-1-12 et seq. and notice was published in accordance with I.C. 5-3-1; and

Whereas, The following bids were received at 10:00 a.m. on May 20, 2014:

Bidder	Base Bid
1. Rex Construction Co., Inc.	\$268,869.44
2. deBoer Egolf Corporation	\$329,364.00
3. Walsh & Kelly, Inc.	\$284,917.20
4. Rieth-Riley Construction, Inc..	\$264,991.80
5. Olthoff, Inc.	\$299,940.95

Whereas, Garcia Consulting Engineers and the Director of Public Works have reviewed the bids and determined that the bid of Rieth-Riley Construction Company, Incorporated in the amount of Two Hundred Sixty-four Thousand Nine Hundred Ninety-one Dollars and 80/100 Cents (\$264,991.80) to be the lowest responsive and responsible bid;

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas The Town of Highland, through its Town Council, now desires to accept the recommendation of the Public Works Director and award a construction contract to Rieth-Riley Construction Company, Incorporated for the 3300 block of Condit Street Reconstruction Project,

Now, Therefore, Be It Ordered by the Town Council of the Highland, Indiana, acting as the Works Board, as follows:

Section 1. That the bid of Rieth-Riley Construction Company, Incorporated for the 3300 block of Condit Street Reconstruction Project in the amount of Two Hundred Sixty-four Thousand Nine Hundred Ninety-one Dollars and 80/100 Cents (\$264,991.80) is hereby accepted as the lowest responsive and responsible bid.

Section 2. That the Public Works Director and Clerk Treasurer are hereby authorized to execute the agreement and all documents necessary to implement the project.

Be it so ordered.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 2nd day of June 2014. Having been passed by a vote of 5 in favor and 0 opposed.

HIGHLAND, INDIANA

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

2. **Introduced Ordinance No. 1555:** An Ordinance of the Town Amending Chapters 15.50 and 15.55 dealing with Erosion Control and Flood Damage Control as recommended by the Board of Sanitary Commissioners. *Councilor Zemen introduced and filed this ordinance during the Town Council meeting of March 24, 2014. At that time, the Clerk-Treasurer noted that because the subject of the ordinance was to amend existing environmental regulations, I.C. 36-5-2-10(a) required notification of IDEM of at least sixty days before the ordinance is actually adopted. The notification of the ordinance's introduction was sent April 5, 2014. The necessary 60 days has elapsed. If adopted, notification of its adoption will be made to IDEM not later than 30 days from its adoption.*

Councilor Herak moved the passage and adoption of Ordinance No. 1555. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE NO. 1555
TOWN OF HIGHLAND**

AN ORDINANCE TO AMEND CHAPTER 15.50 OF THE HIGHLAND MUNICIPAL CODE REGARDING EROSION CONTROL AND WATERCOURSE PROTECTION DURING SITE DEVELOPMENT AND CHAPTER 15.55 REGARDING FLOOD DAMAGE CONTROL BY THEIR REPEAL AND REPLACEMENT WITH NEW CHAPTERS WITH THE SAME NUMBERS, TO BRING THE TOWN'S REGULATORY PROVISIONS IN COMPLIANCE WITH NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND TO IMPROVE WATERCOURSE MANAGEMENT GENERALLY.

WHEREAS, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

WHEREAS, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

WHEREAS, The Legislative Body on July 21, 1969 did establish a Department of Public Sanitation and Sanitary District by passage and adoption of Ordinance No. 586 of the Town, and now codified as Chapter 12.10 of the Highland Municipal Code;

WHEREAS, The Town of Highland is subject to the requirements of the National Pollutant Discharge Elimination System (NPDES), part of the Clean Water Act 33 U.S.C. §1251 et seq. (CWA);

WHEREAS, The State of Indiana, through authority delegated pursuant to 33 U.S.C. 1342, has implemented a NPDES General Permit Rule Program which is contained in the Indiana Administrative Code at 327 IAC 15 et seq;

WHEREAS, Pursuant to the provisions of 327 IAC 15-13 et seq. (Rule 13) the Town of Highland adopted an ordinance or other regulatory mechanism prohibiting illicit discharges into its municipal separate storm sewer system (MS4) conveyances 327 IAC 15-13-14(c); adopting construction site storm water run-off control 327 IAC 15-13-15(b); adopting post construction storm water run-off control 327 IAC 15-13-16(b); and establishing appropriate enforcement procedures and actions;

WHEREAS, The established enforcement procedures and actions shall be reviewed for adequacy and accuracy and updated as necessary, at a minimum, every five (5) years 327 IAC 15-13-14(g), 327 IAC 15-13-15(b) and 327 IAC 15-13-16(b);

WHEREAS, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law;

WHEREAS, The Board of Sanitary Commissioners passed and adopted its Resolution No. 2014-47 recommending desirable and necessary changes to the Chapter 15.50 of the Highland Municipal Code and commended these to the Town Council for its favor and action;

WHEREAS, The Board of Sanitary Commissioners passed and adopted its Resolution No. 2014-48 in which it determined it to be necessary and advisable to amend various provisions of Highland Municipal Code

15.55, Flood Damage Control, pertaining to storm water management and commended these to the Town Council for its favor and action;

WHEREAS, The Town Council now desires to favor the recommendations for amendment to the Highland Municipal Code as recommended by the Board of Sanitary Commissioners for Chapter 15.50 and Chapter 15.55 by making these amendments as commended,

Therefore, Now Be it Hereby Ordained by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That Chapter 15.50 of the Highland Municipal Code be amended by repealing Sections 15.50.060 and 15.50.070 in their entirety;

Section 2. That the Highland Municipal Code is hereby amended by replacing the repealed sections with new successor and replacement sections, which shall be numbered and read as follows:

15.50.060 Plan, report, and schedule requirements (erosion and sediment control plans, soils engineering report, engineering geology report and work schedule).

(A) The applicant-submitted erosion and sediment control plan shall include all the requirements of 327 IAC 15-5-6.5.

(B) Modifications to the plan shall be processed and approved or disapproved in the same manner as HMC 15.50.040, may be authorized by the Highland Building Department, by written authorization to the permittee, and shall include:

- (1) Major amendments of the applicant-submitted erosion and sediment control plan submitted to the Highland building department.
- (2) Field modifications of a minor nature.

15.50.070 Design requirements.

(A) Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in 327 IAC 15-5, and the most recent version of the Town of Highland Municipal Code, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the town building inspector. Cut and fill slopes shall be no greater than 3:1, except as approved by the building department to meet other community or environmental objectives.

(B) Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with the Town of Highland Municipal Code. Clearing techniques that retain natural vegetation and drainage patterns, as described in the infrastructure specifications, shall be used to the satisfaction of the building department.

(C) Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.

(D) Erosion control measures shall comply with 327 IAC 15-5.

(E) Sediment control measures shall comply with 327 IAC 15-5.

(F) Waterway and watercourse protection measures shall comply with 327 IAC 15-5.

(G) Construction site access requirements shall include:

- (1) A temporary access road provided at all sites.
- (2) All other measures required by the town of Highland and 327 IAC 15-5 in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

(H) Post-Construction control measures in the form of structural and/or non-structural best management practices are required. Post-Construction storm water best management practices shall follow Indiana's Storm Water Quality Manual as a guidance document. Plans and specifications for Post-Construction control measures shall comply with 327 IAC 15-5-6.5(a)(8).

(I) A soils engineering report, when required by the town building inspector, based upon his/her determination that the condition of the soils is unknown or unclear so that additional information is required to protect against erosion or other hazard, shall be based on adequate and necessary test borings, and shall contain all the information listed below. Recommendations included in the report and approved by the town building inspector shall be incorporated in the grading plans and/or specifications.

- (1) Data regarding the nature, distribution, strength, and erodibility of existing soils.
- (2) If applicable, data regarding the nature, distribution, strength, and erodibility of soil to be placed on the site.
- (3) Conclusions and recommendations for grading procedures.
- (4) Conclusions and recommended designs for interim soil stabilization devices and measures, and for permanent soil stabilization after construction is completed.
- (5) Design criteria for corrective measures when necessary.

(6) Opinions and recommendations covering the stability of the site.

(J) An engineering geology report; when deemed necessary by the town building inspector, based upon his/her determination that the condition of the soils is unknown or unclear so that additional information is required to protect against erosion or other hazard, shall be provided based on adequate and necessary test borings, giving an adequate description of the geology of the site with conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and giving opinions and recommendations covering the adequacy of sites to be developed by the proposed land-disturbing activity. Recommendations included in the report and approved by the town building inspector shall be incorporated into the grading plans and/or specifications.

(K) A work schedule must be submitted to the town building inspector, and must include the following information:

- (1) Proposed grading schedule.
- (2) Proposed schedule for installation of all erosion and sediment control measures including, but not limited to, the stage of completion of erosion and sediment control devices and vegetative measures.
- (3) Schedule for construction of final improvements, if any.
- (4) Schedule for installation of permanent erosion and sediment control devices.

Section 3. That Chapter 15.55 of the Highland Municipal Code be amended by repealing Sections 15.55.050, 15.55.060, 15.55.070, 15.55.090, 15.55.110, and 15.55.120 in their entirety;

Section 4. That the Highland Municipal Code is hereby amended by replacing the repealed sections with new successor and replacement sections, which shall be numbered and read as follows:

Article III. Drainage of Storm Water Runoff

15.55.050 Policy.

(A) This drainage ordinance, including guidelines and criteria, does not provide solutions to all drainage problems, nor is the engineer restricted to these designs or procedures exclusively. Although the policies as stated will hold true for most development work in this area, the town of Highland realizes that there may be some exceptions to the policies or the criteria which, on individual projects, could involve special or unusual drainage design problems that should be reviewed prior to completing the drainage plans.

(B) The policy of the town of Highland shall be:

(1) All information necessary will be submitted to the town to determine how the storm water rate of runoff should be controlled within the development prior to its release to downstream properties for all proposed developments.

(2) All storm water drainage facilities within a development shall be designed to have capacity for the total tributary area. Upstream areas draining through the property under development shall be provided conveyance for the 10 year storm flow and shall, in addition, be provided a flood route for greater than 100 year event. Areas within the development shall be provided with storm water conveyance for the 10 year storm flow and shall, in addition, be provided a flood route for greater than 100 year events.

(3) All proposed developments with a runoff rate greater than that which downstream system is, or will be, designed for will be required to control the rate of storm water discharge.

(4) All developments having existing controls located downstream from the site will be required to control the discharge flow rate of storm water to that rate which existed prior to development.

(C) If the decision is made by the town of Highland, through its engineer, to handle storm water runoff by storage, the detention or retention facility shall become a permanent part of the subdivision and shall not be transferred to the Town. Ownership of the storage facility shall be common to all subdivision lots. Maintenance of the storage facility shall be the responsibility of all subdivision lots.

15.55.060 Design control guidelines.

(A) The following guidelines provide a uniform design procedure to control the discharge of storm water from areas where proposed changes in land use will result in changes in natural flow pattern, and are necessary to: first, clearly delineate the problem of handling runoff in urban areas; second, to define the responsibility any owner has to control the storm water runoff from his property.

(B) All land developers wishing to develop property in the town of Highland are required to prepare and submit a master drainage plan for the total development area.

(1) Prepare a topographic contour map, with the drainage area delineated with a plan for draining the total upstream tributary watershed through the proposed development.

(2) Prepare a topographic map with at least ~~two-foot~~ ~~one-foot~~ contours, with general layout of the proposed inlets and storm sewers for the total development showing all existing drainage structures with size and invert elevations.

(3) Determine the capacity of the downstream open channel, culvert or storm sewer that may be used for an outlet.

(4) Examine the points downstream that may be used as a control to determine the maximum allowable rate of storm water runoff for the design storm. Existing culverts are not necessarily controls.

(5) A routing path will be provided for runoff in the event the drainage facility's capacity is exceeded, and become a part of a grading plan, which will be submitted with detail plans.

(6) Examine and show the routing of excess storm water through the site and as it is discharged to off-site lands.

(7) The routing path shall be continuous from one development to the next.

(8) If the decision is made by the town of Highland, through its engineer, to handle storm water runoff by storage and releasing it at a regulated rate to prevent flooding downstream, the storage basin will be located in and become part of the routing path.

(9) Excess storm water will be kept out of proposed habitable structures.

(10) The master drainage plan shall be approved by the engineer prior to initiating detailed engineering designs.

(C) It must be recognized that the master drainage plan does not constitute a detailed working design or plan from which a sewer project can be constructed, nor is such detail necessary to meet the objectives of the preliminary review.

15.55.070 Design criteria.

(A) Storm Water Runoff.

(1) It is the policy of the town of Highland to use the rational method to determine the peak rate of runoff for all design storms for drainage areas of 200 acres or less.

(2) For drainage areas over 200 acres and for determining major storms, the method explained in "Urban Hydrology for Small Watersheds," Technical Release No. 55, may be used to provide peak rates of runoff. T.R. 55 can be obtained from the Soil Conservation Service Engineering Division, U.S. Department of Agriculture, incorporated herein by reference and made a part of this code, with two copies on file in the office of the clerk-treasurer and available for public inspection, pursuant to IC 36-1-5-4.

(B) Peak Rate of Runoff. The basic formula for the rational method is $Q = CiA$ in which:

(1) Q = Peak rate of runoff in cubic feet per second.

(2) C = Runoff coefficient, ratio of the maximum rate of runoff to the average rate of rainfall.

(3) A = The drainage area in acres.

(4) i = Rainfall intensity in inches per hour for a selected storm frequency and the time of concentration.

(C) Table 15.55.120 presents Urban Runoff Coefficients to be used to compute area weighted composite runoff coefficient to be used with the rational method to compute the peak runoff rate.

(D) Rainfall Intensity. Rainfall frequency curves, relation of rainfall intensity versus time, based on the latest published records of the U.S. Weather Bureau for the Chicago area, will be used for all design storms.

(E) Design Storm. The peak discharge to be computed for all storm drainage facilities, used for collecting and transporting storm runoff, is defined in the design criteria for those facilities.

(F) Major Storm. The major storm will be based on a storm with a return period of not less than 100 years.

15.55.090 Storm sewers.

below: (A) Criteria. The more important criteria to consider in designing storm sewer systems are listed

- (1) All storm sewer systems are to be designed using Manning's Equation ($Q = 1.49/n R^{2/3} S^{1/2} A$).
- (2) The sewer must be deep enough to receive the flow from all its sources within the watershed.
- (3) The size of the sewer must be adequate for flowing full, based on the design storm.
- (4) The gradient of the sewer must be sufficient to avoid deposition of solids.
- (5) The storm sewer material will be concrete, vitrified clay or PVC. Other approved material may be used for special design.
- (6) The main pipe, if over 24 inches, in a sewer system will be required to be separated from all curb inlets, unless a special design is submitted for approval.
- (7) The flowline of pipes should be set such that the pipes at manholes have the 0.8 depth point at the same elevation; if the outlet elevation permits, the crown of the outlet pipe may be lower.
- (8) The flowline elevations of sewers should be set to avoid using concrete encasement.
- (9) Within the limits of existing or proposed rights-of-way, where minimum cover during construction or proposed cover over the outside top of the pipe is 30 inches or less for pipe size six to 27 inches in diameter inclusive, concrete encasement may be required.

(B) Design Storm Frequency. Flowing full for ten-year storm.

(C) Hydraulic Gradient.

- (1) Based on five-year storm, shall not exceed window or grate elevation for an inlet or catch basin.
- (2) Grade line based on tailwater or 0.8 D at outlet or other critical points within the system.

(D) Design Flow. All design flow will be based on rational method $Q = CiA$. Minimum time of concentration:

- (1) Curb inlet: 10 minutes.
- (2) Ditch C.B.: 10 minutes.

(E) Runoff Coefficient. Based on Table 15.55.120, with 0.4 as a minimum.

(F) Manning's "N" Value. All storm sewers shall be based on an "n" of 0.013 or less.

(G) Minimum Cover to Subgrade. Desirable: 30 inches to ground surface or pavement subgrade.

(H) Maximum Cover.

(1) The supporting strength of the conduit, as installed, divided by a suitable factor of safety, must equal or exceed the loads imposed upon it by the weight of earth plus any superimposed loads.

(2) The design procedure recommended for use in structural design of storm sewers in design manual concrete pipe, available from American Concrete Pipe Association.

(I) Velocity in Sewer for Design Flow.

- (1) Three FPS minimum.
- (2) Fifteen FPS maximum.

(J) Maximum Length Between Access Structures.

- (1) Pipes under 36 inches: 400 feet.
- (2) Pipes 36 inches and over: 5,000 feet.

15.55.110 Routing path.

(A) The routing path or the major drainage system is that part of the storm drainage system which carries the runoff which exceeds the capacity of the designed drainage facilities.

The major drainage system shall have the capacity to carry runoff from a storm with a return period of not less than ~~50~~ 100 years without causing significant threat to property or public safety.

(B) It is not economically feasible to size a storm sewer system to collect and convey more than the design storm runoff. However, runoff which exceeds the capacity of the storm sewer system must have a route to follow. Essentially, the complete drainage system of an urban area contains two separate drainage elements. While the storm sewers belong to the design system, surface drainageways must be provided for the major flow from more intense storms.

(C) The intent of planning for the major drainage element is to ensure storm water runoff, which exceeds the capacity of the design drainage system, has a route to follow which will not cause a major loss of property or any loss of life. Street rights-of-way are a common choice for conveying major drainage flows.

(D) The major storm runoff is routed through the drainage system to determine if the combined capacity of the routing path and storm sewer system is sufficient to maintain surface flows within permissible limits. The capacity of the conduit at any given point is assumed to be the same for the major storm as for the initial design storm for preliminary design purposes. If the major storm runoff exceeds the combined capacity of the street and storm sewer drainage system, revision in the major drainageway crosses the street.

(E) Where the street is designated as the major drainageway, the depth of flow shall not exceed 12 inches at gutter line for local and collector streets and shall not exceed six inches' depth at crown for arterial streets. The same maximum depth criteria will apply where a major drainageway crosses the street.

(F) Routing of the major storm at culvert locations shall be at low areas or sags of vertical curves of streets. Elevations for the design of the street shall be such as to permit the major storm to flow across the street and to prevent damage to any existing or proposed building structure.

(G) Where a major drainageway is located outside a street right-of-way, easements will be provided and a grading plan will be submitted with a detailed engineering plan submission. The grading plan will include elevations along the routing path and other elevations necessary to show the major storm is contained within the planned area. The grading plan shall be submitted and filed with the engineer.

15.55.120 Detention or retention.

(A) *Urban and Suburban Areas.* In developed and developing urban and suburban areas, several means for controlling storm water runoff could be resorted to. This usually involves storing runoff on or below the ground surface. The following types of storage facilities may be considered for detention: parking lots, underground tanks and surface basins or ponds.

(B) *Parking Lot Storage.* Parking lot storage using shallow ponding (six inches maximum) designed to flood specifically graded areas of the parking lot may be used. Controlled release features must be incorporated into the surface drainage system of the parking lot. This method is intended to control the runoff directly from the parking area, and is usually not appropriate for storing large runoff volumes.

(C) *Tank Storage.* Tank storage in an underground tank or chamber, either prefabricated or constructed in place, with a special controlled release feature will be considered for detention.

(D) *Surface Basins or Ponds, Wet Ponds or Retention Basin.* Wet ponds are permanent ponds where additional storage capacity is provided above the normal water level and special features for controlled release are included. Because of large land requirements, and the necessity of maintaining a permanent pool of water, wet ponds have a broader application for in-stream control where large watershed areas are involved compared to their use as on-site facilities for small urban areas.

(E) *Dry Basins or Detention Basin.* Dry basins are surface storage areas created by constructing a typical excavated or embankment basin. There is no normal pool level and a specific controlled release feature is included to control the rate of discharge. The detention flow control structure is usually a multi- stage device, and the retention flow control structure is usually a single-stage device.

(F) *Design Criteria.*

(1) Design Frequency. 100-year storm: based on Chart No. 1.

(2) Design Flow.

(a) Areas under 200 acres use rational method ($Q = CiA$).

(b) Areas between 200 and 300 acres transition between rational method and Technical Release No. 55.

(c) Areas over 300 acres use Technical Release No. 55.

(3) Runoff Coefficient. Based on Table 15.55.120.

(4) Release Rates.

(a) The release rate for all developments shall not exceed 0.2 cfs/acre during the 100 year design storm event, except for developments with final plat areas of less than 1.0 acre, the release rate shall not exceed 0.25 cfs/acre during the 100 year design storm.

(b) The surface of a detention area should be constructed with sufficient slopes (minimum of one-half percent) to drain property so that all of the runoff is removed following a storm.

(c) A ditch, or ditches, shall be paved and constructed from the pipe, or pipes outletting into the basin, to the outlet structure.

(d) Seeding and other erosion control methods will be used to protect all slopes: sod, jute matting, rock protection or concrete.

(e) Side slopes for a retention facility shall be 4:1 maximum below permanent storage and 6:1 maximum above permanent storage.

(5) Time of concentration. Based on Chart No. 2.

(6) Debris Control. Debris-control structures may be required in the detention methods and should be considered as an essential part of design.

(7) Emergency Spillway. An emergency spillway shall be provided for flows in excess of the design storm.

Table 15.55.120

<u>Urban Runoff Coefficients</u>	
<i><u>Type of Surface</u></i>	<i><u>Runoff Coefficient "C"</u></i>
<u>◆ Hard Surfaces</u>	
<u>Asphalt</u>	<u>0.82</u>
<u>Concrete</u>	<u>0.85</u>
<u>Roof</u>	<u>0.85</u>
<u>◆ Lawns (Sandy)</u>	
<u>Flat (0-2% Slope)</u>	<u>0.07</u>
<u>Rolling (2-7% Slope)</u>	<u>0.12</u>
<u>Steep (Greater than 7% Slope)</u>	<u>0.17</u>
<u>◆ Lawns (Clay)</u>	
<u>Flat (0-2% Slope)</u>	<u>0.16</u>
<u>Rolling (2-7% Slope)</u>	<u>0.21</u>

Steep (Greater than 7% Slope)	0.30
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Source: HERPICC Stormwater Drainage Manual, July 1995.

Section 5. The provisions of this ordinance amending the municipal code shall be in full force and effect from and after the date of its passage and adoption evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a), provided as follows:

(A) That written notice is given to the Indiana Department of Environmental Management not later than 60 days before the adoption of this ordinance affecting repeal of the portions of the municipal code serving as environmental restrictive ordinances; and,

(B) **That written notice of this ordinance's amendments are given to the Indiana Department of Environmental Management not later than 30 days after passage of this ordinance amending existing environmentally restrictive ordinances.**

Introduced and Filed on the 24 day of March 2014. Consideration on same evening of introduction was not requested pursuant to IC 36-5-2-9.8., subject to the provisions of Section 5 of this ordinance.

DULY ORDAINED AND ADOPTED this 2nd Day of June 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

- 3. Proposed Ordinance No. 1556.1549-A:** An Ordinance To Amend Ordinance No. 1549, An Ordinance To Establish The Wage And Salary Rates Of The Elected Officers, The Non-Elected Officers, And The Employees Of The Town Of Highland, Indiana And To Amend Provisions In The Compensation And Benefits Ordinance, increasing Police Pensions.

Councilor Kuiper introduced and moved the consideration at the same meeting of its introduction of proposed Ordinance No. 1556.1549-A. Councilor Adams seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Kuiper moved the passage and adoption at the same meeting of its introduction of Ordinance No. 1556.1549-A. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted at the same meeting of its introduction.

**ORDINANCE No. 1556.1549-A
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to AMEND ORDINANCE No. 1549, AN ORDINANCE TO ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA and to AMEND PROVISIONS IN THE COMPENSATION and BENEFITS ORDINANCE.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year; and

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2014;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 10 (c) of Ordinance No. 1549 be amended by repealing Section 10(c) of that Ordinance in its entirety and replacing with the following section, which shall be numbered as Section 10(c) and read as follows:

Section 10. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Metropolitan Police Department** as follows:

(c) Other Police Officers and Assignments.

- (1) All initial appointments to the Metropolitan Police Department, regardless of previous law enforcement experience, shall be probationary in nature pursuant to Regulation 11 of the Metropolitan Police Department and under the authority of IC 36-8-9-7. The basis for promotion to the several grades (classes) will be based upon written guidelines, rules or regulations determined by the Town Board of Metropolitan Police Commissioners.
- (2) A candidate/officer possessing a Law Enforcement Academy certification is eligible for initial appointment to Police Officer classes 1-4. A candidate/officer possessing no Law Enforcement Academy certification is only eligible for initial appointment to Police Officer class 4.
- (3) **There is established a pay grade styled as Police Officer 1 (Special). An officer possessing the rank of Police Officer First (Class), that possesses at least thirty four years of service as a police officer, the last twenty-five of which have been served consecutively and successfully with the Highland Metropolitan Police Department, shall be paid the identified biweekly salary as base pay. For the purposes of establishing pension benefits under IC 36-8-1-11, IC 36-8-6-9, IC 36-8-6-9.6, IC 36-8-8-8 and IC 36-8-8-11, or employer contributions under IC 36-8-8-6, the salary of the Patrol Officer 1 (Special) plus the longevity pay for twenty years shall be used.**

	Starting Rate	Incumbent Rate
Police Officer 1 (Special)	\$ 2,366.96	\$ 2,366.96 bi-weekly
Police Officer 1	\$ 2,156.84	\$ 2,156.84 bi-weekly
Police Officer 2	\$ 1,902.28	1,902.28 bi-weekly
Police Officer 3	\$ 1,781.25	\$1,781.25 bi-weekly
Police Officer 4 (no LEA certification)	\$ 1,613.50	\$ 1,613.50 bi-weekly

Section 2. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 3. That the provisions set forth in Section 1, shall be effective from January 5, 2014 and continue thereafter until amended , modified or repealed by passage and adoption of a successor ordinance.

Section 4. (A) That an emergency exists for the immediate taking affect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, **but not sooner than January 5, 2014**, pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed on the 2nd day of June 2014. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 2nd Day of June 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

4. **Proposed Ordinance No. 1557:** An Ordinance Amending Section 2.35.040 of the Highland Municipal Code Regarding Municipal Retirement Age and Bringing the Current Provision into Compliance with I.C. 22-9-2 and 29 U.S.C. 621 et seq.

Councilor Herak introduced and moved the consideration at the same meeting of its introduction of proposed Ordinance No. 1557. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Kuiper moved the passage and adoption at the same meeting of its introduction of Ordinance No. 1557. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted at the same meeting of its introduction.

**Town of Highland
ORDINANCE NO. 1557**

AN ORDINANCE AMENDING SECTION 2.35.040 OF THE HIGHLAND MUNICIPAL CODE REGARDING MUNICIPAL RETIREMENT AGE AND BRINGING THE CURRENT PROVISION INTO COMPLIANCE WITH I.C. 22-9-2 AND 29 U.S.C. 621 ET SEQ.

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland, pursuant to IC 36-5 et sequitur;

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

WHEREAS, Section 2.35.040 (B) of the Highland Municipal Code Provides: *"Employees shall retire from municipal duty at the age of 70 years, and the date of such retirement shall be at the end of the municipal fiscal year in which their seventieth birthday is attained; provided, however, that the town council may waive this provision and grant an extension of duties for each municipal year, upon determination that an employee is physically able to the perform (his) normal duties, if such extension is in the best interests of the Town;"*

WHEREAS, The Town Council has been advised that the those provisions may not fully comport with current State and Federal law regarding age discrimination;

WHEREAS, The Town Council has been further advised that it is highly desirable to amend the provisions regarding retirement age to bring it into compliance with the prevailing State and Federal law regarding age discrimination;

Whereas, The Town Council now desires to take the proper steps to amend the Highland Municipal Code in order to correct the offending provisions;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 2.35.040 of the Highland Municipal Code is hereby amended by its repeal in its entirety and replacement with a successor section which shall be read and be numbered as follows:

2.35.040 Retirement age.

(A) For the purposes of this section, the term employee shall be defined as any person appointed, employed or retained by any public office or public body of the town, whether part-time or full-time. The term shall not include any person elected by the ~~populace at large~~ voters of the whole town in any a special or general election or selected as a pro tempore appointment, pursuant to I.C. 3-13-11 et seq.

(B) Employees shall retire from municipal duty at the age of ~~70~~ 75 years, and the date of such retirement shall be at the end of the municipal fiscal year in which their ~~seventieth~~ seventy-fifth birthday is attained.

(C) ~~provided, however, that~~ The town council may waive this provision mandatory retirement and grant an extension of duties for each municipal year, upon making the following determinations:

- (1) That an employee is physically able to the perform ~~(his)~~ the employee's normal duties; and
- (2) ~~if~~ That granting such extension is in the best interests of the Town;

Section 2. The provisions of this ordinance amending the municipal code shall be in full force and effect from and after the date of its passage and adoption evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 2nd day of June 2014. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 2nd day of June 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Proposed Enactment No. 2014-23:** An Enactment to Electively Grant an Additional Personal Leave Day to Judy Vaughn, Secretary in the Public Works Department (Agency).

Councilor Herak introduced and moved the consideration at the same meeting of its introduction of proposed Enactment No. 2014-23. Councilor Adams seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Kuiper moved the passage and adoption at the same meeting of its introduction of Enactment No. 2014-23. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted at the same meeting of its introduction.

**Town of Highland
ENACTMENT NO. 2014-23**

AN ENACTMENT TO ELECTIVELY GRANT AN ADDITIONAL PERSONAL LEAVE DAY TO JUDY VAUGHN, SECRETARY IN THE PUBLIC WORKS DEPARTMENT (AGENCY).

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland, pursuant to IC 36-5 et sequitur;

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

WHEREAS, The Town Council did ratify the closing of administrative offices for the Town of Highland and its executive departments not directly essential to public safety on Monday, January 6, 2014, owing to the intemperate weather and heavy snowfalls, and workers who were not required for public safety or roadway upkeep, were directed to stay at home;

WHEREAS, The Town Council also authorized paid time for those workers who were ordered or prohibited from reporting to work owing to the compulsory closing in the belief that no worker be made worse off owing to the mandated closing of administrative offices;

Whereas, The Town Council notes that a few clerical workers were instructed to report to work, for which they were compensated accordingly;

Whereas, The Town Council has reflected upon some concerns made known to the Town Council regarding the equities for some workers who reported to work and were compensated, while other workers were compensated while not reporting for work;

NOW, THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Town Council makes the following findings and determinations, pursuant to its authority under IC 36-1-4-16 to ratify the actions of officers *post hoc*, as well as the authority described in the preamble to this enactment:

(A) That on Monday, January 6, 2014, owing to the intemperate weather and heavy snowfalls, the administrative offices for the Town of Highland including all of its executive departments were closed, and workers who were not required for public safety or roadway upkeep, were directed to stay at home;

(B) That in order to make no worker worse off from the loss of work opportunity, caused by the mandated closure of administrative offices for the Town of Highland and its executive departments not directly essential to public safety, the Town Council authorized paid time off for those full-time workers who were instructed to stay home and not report;

(C) That the Town Council has reflected upon some concerns made known to the Town Council regarding the equities for some workers who reported to work and were compensated, while other workers were compensated while not reporting for work;

Section 2. (A) That based upon the forgoing, the Town Council does hereby authorize and approve one additional personal leave day as set forth in Section 5.03 of the Compensation and Benefits Ordinance commonly referred to as the Municipal Employee Handbook, to be granted to **Judy Vaughn**, Secretary employed in the Public Works Department (Agency);

(B) That the personal leave day granted by this enactment must be used for paid time off by **Judy Vaughn** not later than December 31, 2014, may not be carried forward in the manner of other personal leave days and cannot be paid as compensation at separation from employment;

Section 3. That the adoption of this enactment, is elective, in the interest of comity, and shall in no way be construed as creating an entitlement for any other workers in any other department who were not instructed to stay home and not report but remained at or reported to work on the subject date of this enactment;

Introduced and Filed on the 2nd day of June 2014. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 2nd day of June 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having passed / not passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

 Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

6. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1531 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.

6.1 *The Metropolitan Police Chief requests favorable action for R. Potesta, who is an exempt salaried employee, and investigations division commander, in the amount of \$290.52, for work associated with a special grant supported enforcement detail, particularly OWI Roadblock on May 17, 2014. Pursuant to Section 10 (d)(3) of Ordinance No. 1549 commonly called the Wage and Salary Ordinance, the rate of pay for grant supported assignments shall be 1.5 times the composite rate of the officer working the detail.*

Councilor Kuiper moved to approve the paid overtime as indicated for the exempt salaried supervisor. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The paid overtime as requested was approved.

7. Action to approve compensatory time off for Exempt Salaried Personnel, pursuant to Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.

The Clerk-Treasurer makes the request that Kathryn A. Minchuk, Deputy Clerk-Treasurer, be authorized to use up to 45 hours of compensatory time for paid time off, from a total of _____ 98.5 - 40 plus _____ hours logged (accrued and recorded as real hours no premium from work performed in 2013 and 2014) as paid time off. Previously approved for 2013-2014: 40 hours.

Councilor Adams moved to approve the authorization of up to 45 hours of compensatory time as paid time off for the Deputy Clerk-Treasurer, an exempt, salaried supervisory employee. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The compensatory time's use as paid time off was approved.

8. Clerk-Treasurer now files the Encumbrance Report for from 2013 into 2014. Action to acknowledge the filing and to authorize the report's contents to be included in the minutes of the meeting.

Councilor Kuiper moved to acknowledge and approve the filed Encumbrance Report and to authorize its inclusion in the minutes of the meeting. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Encumbrance Report for 2013 into 2014 was acknowledged and approved and its inclusion in the minutes was authorized.

Encumbrance Report

Purchase Orders From 2013 into 2014	
Corporation General Fund:	
(departmentalized)	
<i>Office of the Town Council</i>	
Personnel Services	\$ -
Supplies	\$ 4.50
Other Services & Charges	\$ 11,088.00
Capital Outlays	\$ -
Department Total:	\$ 11,092.50

Advisory Board of Zoning Appeals

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	500.00
Capital Outlays	\$	-
Department Total:	\$	500.00

Office of the Clerk-Treasurer

Personnel Services	\$	2,768.76
Supplies	\$	57.32
Other Services & Charges	\$	90.00
Capital Outlays	\$	-
Department Total:	\$	2,916.08

Building Inspection Department

Personnel Services	\$	5,614.15
Supplies	\$	2,498.15
Other Services & Charges	\$	6,175.62
Capital Outlays	\$	-
Department Total:	\$	14,287.92

Plan Commission Dept.

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	5,564.58
Capital Outlays	\$	-
Department Total:	\$	5,564.58

Fire Department

Personnel Services	\$	20,909.04
Supplies	\$	14,442.71
Other Services & Charges	\$	15,272.06
Capital Outlays	\$	31,727.00
Department Total:	\$	82,350.81

Metropolitan Police Department

Personnel Services	\$	90,863.61
Supplies	\$	85,913.71
Other Services & Charges	\$	42,306.40
Capital Outlays	\$	100,394.00
Department Total:	\$	319,477.72

Services & Works Board Dept.

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	38,748.54
Capital Outlays	\$	-
Department Total:	\$	38,748.54

Town Hall and Monuments Dept.

Personnel Services	\$	248.67
Supplies	\$	-
Other Services & Charges	\$	422.09
Capital Outlays	\$	-
Department Total:	\$	670.76

Fund Total: \$ 475,608.91

Motor Vehicle Highway Fund

Personnel Services	\$	28,309.03
Supplies	\$	-
Other Services & Charges	\$	1,351.52
Capital Outlays	\$	-
Fund Total:	\$	29,660.55

Parks and Recreation Fund

Personnel Services	\$	14,555.02
Supplies	\$	2,697.78
Other Services & Charges	\$	3,351.92
Capital Outlays	\$	-
Fund Total:	\$	20,604.72

Parks and Recreation Capital Fund

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	71,844.80
Fund Total:	\$	71,844.80

Law Enf. Ed., Trng., & Supply Fund

Personnel Services	\$	-
Supplies	\$	855.50
Other Services & Charges	\$	2,416.24
Capital Outlays	\$	-
Fund Total:	\$	3,271.74

Redevelopment General Fund

Personnel Services	\$	1,794.14
Supplies	\$	577.05
Other Services & Charges	\$	15,946.19
Capital Outlays	\$	-
Fund Total:	\$	18,317.38

Redevelopment Capital Fund:

Supplies	\$	-
Other Services & Charges	\$	15,459.00
Capital Outlays	\$	42,496.66
Fund Total:	\$	57,955.66

Economic Development Fund

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	15,105.00
Fund Total:	\$	15,105.00

Rainy Day Fund

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	4,000.00
Capital Outlays	\$	-
Fund Total:	\$	4,000.00

General Improvement Fund

Other Services & Charges	\$	12.00
Capital Outlays	\$	-
Fund Total:	\$	12.00

Special Public Safety Fund

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total:	\$	-

Special Events Non Reverting

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	50.00
Fund Total:	\$	50.00

Sexual Predator Grant Fund

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total:	\$	-

Law Enf. Ed., Trng., & Supply Fund

Personnel Services	\$	-
Supplies	\$	855.50
Other Services & Charges	\$	2,416.24
Capital Outlays	\$	-
Fund Total:	\$	<u><u>3,271.74</u></u>

Innkeeper Tax Fund

Supplies	\$	-
Other Services & Charges	\$	3,392.00
Capital Outlays	\$	-
Fund Total:	\$	<u><u>3,392.00</u></u>

Solid Waste District Grant Fund

Personnel Services		
Supplies	\$	-
Other Services & Charges	\$	102,857.95
Capital Outlays	\$	-
Fund Total:	\$	<u><u>102,857.95</u></u>

Civil Donation Fund

Non Specific	\$	-
Fund Total:	\$	<u><u>-</u></u>

Gaming Revenue Sharing Fund

Supplies	\$	-
Other Services & Charges	\$	1,245.00
Capital Outlays	\$	91,564.12
Fund Total:	\$	<u><u>92,809.12</u></u>

Information Communications Technology

Supplies	\$	-
Other Services & Charges	\$	6,966.58
Capital Outlays	\$	-
Fund Total:	\$	<u><u>6,966.58</u></u>

Municipal Cumulative Cap Dev

Supplies	\$	-
Other Services & Charges	\$	122,124.00
Capital Outlays	\$	-
Fund Total:	\$	<u><u>122,124.00</u></u>

Corporation Capital Fund

Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total:	\$	-
Total of All Civil Funds:	\$	1,057,513

Enterprise or Utility Funds

Sanitary District Special Operating Fund

Administration Department

Personnel Services	\$	979.27
Supplies	\$	-
Other Services & Charges	\$	27.00
Capital Outlays	\$	-
Department Total:	\$	1,006.27

Sanitation Department

Personnel Services	\$	4,361.76
Supplies	\$	20.53
Other Services & Charges	\$	5.00
Capital Outlays	\$	-
Department Total:	\$	4,387.29
Fund Total:	\$	5,393.56

Sanitary District Capital Fund

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	52,007.54
Fund Total:	\$	52,007.54

Sewage Works Operating Fund

Personnel Services	\$	177,137.55
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total:	\$	177,137.55

Sewage Works Improvement Fund

Supplies	\$	-
Other Services & Charges	\$	20,800.00
Capital Outlays	\$	169,937.55
Fund Total:	\$	190,737.55

Water Works Operating Fund

Personnel Services	\$	68,472.73
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total:	\$	68,472.73

Water Works Improvement Fund

Supplies		
Other Services & Charges	\$	50,898.53
Capital Outlays	\$	8,265.08
Fund Total:	\$	59,163.61

Water Works Capital Fund

Supplies		
Other Services & Charges	\$	-
Capital Outlays	\$	2,032.46
Fund Total:	\$	2,032.46

Total of All Enterprise Utility Funds:	\$	554,945.00
Total of ALL FUNDS	\$	1,612,457.70

9. Authorization and instruction for the proper officer to advertise for a public hearing on proposed additional appropriations in the Parks Non Reverting Capital Fund.

Councilor Herak moved that the proper officer be authorized to publish legal notice of a public hearing on the proposed additional appropriations as indicated. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Publication of legal notice for a public hearing on the proposed additional appropriations was approved.

Comments from the Town Council Members
 (For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • Liaison to the Park and Recreation Board • Liaison to the Town Board of Metropolitan Police Commissioners.*

Councilor Zemen acknowledged the Parks and Recreation Superintendent who offered a report on Parks and Recreation Programing generally and on the upcoming hosting of a 14 and under ASA Softball Tournament in particular.

- **Councilor Mark Herak:** *Liaison to the Board of Waterworks Directors • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission.*

Councilor Herak commended the Redevelopment Director and the Main Street Bureau Board on the recent car cruise in the downtown area of Highland.

Councilor Herak expressed disfavor with the unkempt grass on a property in town for sale by what he described as a "reputable realtor." Councilor Herak offered general concerns about the adequacy property maintenance in some places in Town and the enforcement for compliance.

- **Councilor Dennis Adams:** • *Liaison to the IT Consultant.*

Councilor Adams offered general concerns about the adequacy property maintenance in some places in Town and the enforcement for compliance, concurring with sentiments expressed by Councilor Herak.

Councilor Adams commented about approaches employed by neighboring Hammond in code enforcement particularly directed to property maintenance and eliminating appearances of disinvestment.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper commented favorably on the recent car cruise event sponsored by the Main Street Bureau and the Redevelopment Department.

- **Council President Dan Vassar:** • *Municipal Executive • Chairman of the Board of Trustees of the Police Pension Fund (1925 Law) • Redevelopment Commission Liaison.*

Council President Vassar commented favorably on the recent car cruise event sponsored by the Main Street Bureau and the Redevelopment Department. He acknowledged the Redevelopment Director who commented on various redevelopment initiatives underway. She further commented on efforts to rescue several trees landscaping the Downtown Redevelopment Area along the 2900 block of Jewett Street and Highway Avenue from the Tree Ash Bore.

The Redevelopment Director also reported that the special Gateway Sign to be installed at the Indianapolis Boulevard improvement was pending.

Comments from Visitors or Residents:

1. James Brunt, 2231 Oakdale Street, Highland, inquired about municipal code regulations regarding dog waste on the public sidewalks. Mr. Brunt expressed concerns about the adequacy of the enforcement of any such regulations.

Mr. Brunt further unfavorably commented on the adequacy of enforcement regarding snow on public sidewalks, and the requirement for clearing the sidewalks of the snow when snowfalls reached one inch or more.

2. Rick Volbrecht, 9221 Parkway Drive, Highland, associated himself with the comments regarding the snowfall enforcement as raised by Mr. Brunt.

Mr. Volbrecht raised concerns about the Growler's event and the question of who is responsible for determining whether someone is over served at the event. He expressed concerns regarding the town's exposure in granting the Controlled Event Permit. He further inquired whether the 3 million insurance coverage was adequate.

Payment of Accounts Payable Vouchers. There being no further comments from the public or visitors, Councilor Zemen moved to allow the vendor accounts payable vouchers as filed on the pending accounts payable docket, covering the period May 13, 2014 through June 02 2014 as well as the payroll dockets for May 2 and May 16, 2014. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$315,044.51; Motor Vehicle Highway and Street (MVH) Fund, \$43,589.23; Local Road and Street (LRS) Fund, \$5,831.91; Law Enforcement Cont. Education and Supply Fund, \$9,321.56; Flexible Spending Account (FSA) Agency Fund, \$1,910.76; Gasoline Agency Fund, \$25,658.10; Information and Communications Technology Fund, \$9,631.91; Civil Donation Fund, \$2,028.71; Special Events Non Reverting Fund, \$533.78; Police Pension Fund (1925 Plan): \$63,455.37; Municipal Cumulative Capital Development Fund, \$95,206.41; Traffic Violations Fund, \$8,319.00; Municipal Cumulative Street Fund, \$4,627.00; Gaming Revenue Sharing Fund, \$35,334.06; Total: \$ 620,492.31.

Payroll Docket for payday of May 02, 2014:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$11,918.39; Building and Inspection Department, \$6,704.92; Metropolitan Police Department, \$99,128.69; Fire Department, \$2,906.77; Public Works Department (Agency), \$58,245.99 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$178,904.76.

Payroll Docket for payday of May 16, 2014:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$11,898.37; Building and Inspection Department, \$7,566.94; Metropolitan Police Department, \$106,883.63; Fire Department, \$2,758.57; Public Works Department (Agency), \$57,844.59; and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$186,952.10.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Adams seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, June 02, 2014 was adjourned at 8:01 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer